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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Declaration and Power of Attorney

As below named inventors, we declare that:

Our residence, post office address and citizenship are as stated below next to our names.

We believe we are the original, first and sole inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled, **APPARATUS AND METHOD FOR OPTIMIZING THE POWER TRANSFER PRODUCED BY A WAVE ENERGY CONVERTER (WEC)** filed 8/6/01 bearing serial number 09/922,877

We hereby state that we have reviewed and understand the contents of the above identified specification, including the claims, as amended by an amendment, if any, specifically referred to in this oath or declaration.

We acknowledge the duty to disclose all information known to us which is material to patentability as defined in Title 37, Code of Federal Regulations, 1.56.

We hereby claim foreign priority benefits under Title 35, United States Code, 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

None

We hereby claim the benefit under Title 35, United States Code, 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code 112, we acknowledge the duty to disclose all information known to us to be material to patentability as defined in Title 37, Code of Federal Regulations, 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

None

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We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

We hereby appoint the following attorney(s) with full power of substitution and revocation, to prosecute said application, to make alterations and amendments therein, to receive the patent, and to transact all business in the Patent and Trademark Office connected therewith:

Henry I. Schanzer, Esq.

Reg. No. 25,219

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1. Full name of first joint (sole) inventor:

Inventor's signature _____ Date _____
Joseph R. Burns (deceased)

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Executrix for the Estate of Joseph R. Burns

Date: 11-12-01

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2. Full name of second joint inventor:

Inventor's signature Paul Smalser Date 11/6/01
Paul Smalser

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3. Full name of third joint inventor:

Inventor's signature George W. Taylor Date 11/6/01
George W. Taylor

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4. Full name of fourth joint inventor:

Inventor's signature Thomas R. Welsh Date 11/6/01
Thomas R. Welsh

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